

1 MARK B. FREDKIN, ESQ. (SBN 53550)
2 WILLIAM SIAMAS, ESQ. (SBN 133111)
3 MORGAN, FRANICH, FREDKIN & MARSH
4 99 Almaden Boulevard, Suite 1000
San Jose, California 95113-1613
Telephone: (408) 288-8288
Facsimile: (408) 288-8325

NOV 08 2010

5 Attorneys for Plaintiff
6 WHITTLESTONE, INC.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
11

12 WHITTLESTONE, INC., a California
13 corporation,

14 Plaintiffs,

15 vs.

16 HANDI-CRAFT COMPANY, a Missouri
17 corporation,

18 Defendants.

Case No. CV 08-04193 SBA

**SUBSTITUTION OF COUNSEL OF
RECORD FOR PLAINTIFF**

19 Plaintiff, WHITTLESTONE, INC., a California corporation, hereby substitutes
20 MARK B. FREDKIN and MORGAN, FRANICH, FREDKIN & MARSH as counsel of
21 record in place and stead of ROBERT L. SALLANDER JR., JOHN P. MAKIN and
22 GREENAN, PEFFER, SALLANDER & LALLY LLP in this action.

23 The address and contact information of Plaintiff's new counsel are:

24 MARK B. FREDKIN, ESQ.
25 MORGAN, FRANICH, FREDKIN & MARSH
26 99 Almaden Boulevard, Suite 1000
27 San Jose, California 95113-1613
Telephone: (408) 288-8288
Facsimile: (408) 288-8325
28 Email Address: mfredkin@mffmlaw.com

1 I consent to this substitution.

2 WHITTLESTONE, INC.
3 a California corporation

4
5 Dated: 10-19-2010

6 By: 
7 Officer JRS.

8 I consent to this substitution.

9
10 Dated: November 4, 2010

11 
12 ROBERT L. SALLANDER JR.

13 GREENAN, PEPPER, SALLANDER & LALLY LLP

14
15 Dated: November 4, 2010

16 By: 

17 I accept this substitution.

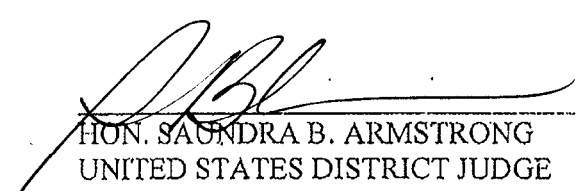
18 MORGAN, FRANICH, FREDKIN & MARSH

19
20 Dated: 10-25-10

21 By: 
22 MARK B. FREDKIN

23
24 IT IS SO ORDERED.

25 DATED: 11-8-10

26 
27 HON. SANDRA B. ARMSTRONG
28 UNITED STATES DISTRICT JUDGE

Re: **Wittlestone, Inc. v. Handi-Craft Company**
United States District Court, Case No. CV 08-04193 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am over the age of eighteen years and not a party to the within action. My business address is 99 Almaden Boulevard, Suite 1000, San Jose, California 95113-1606. On the date indicated below, I caused to be served in the manner indicated below the following document(s):

SUBSTITUTION OF COUNSEL OF RECORD FOR PLAINTIFF

X	MAIL I am readily familiar with the practice of this business for collection and processing of documents for mailing with the United States Postal Service. Documents so collected and processed are placed for collection and deposit with the United States Postal Service that same day in the ordinary course of business. The above-referenced document(s) were placed in (a) sealed envelope(s) with postage thereon fully prepaid, addressed to each of the below listed parties and such envelope(s) was (were) placed for collection and deposit with the United States Postal Service on the date listed below at San Jose, California.
	FACSIMILE I am readily familiar with the practice of this business for processing of documents via Telefax. Documents so processed are sent through the Telefax machine in our office and received simultaneously at their destination. The above-referenced document(s) were placed in the Telefax machine with all costs of Telefaxing prepaid, directed to each of the below listed parties using their Telefax number(s), and processed through the Telefax equipment, until a report is provided by that equipment indicating that the Telefax operation was successful.
	PERSONAL DELIVERY by personally serving a true copy thereof on attorneys for TYPE NAME OF PARTY (E.G., DEFENDANT) by hand delivering said document in a sealed envelope addressed as follows:
	FEDERAL EXPRESS by placing a true copy thereof (to which was attached a copy of this document) in a sealed envelope, and transmitting said documents via Federal Express, guaranteed overnight delivery, to person(s) address as follows:
X	BY ELECTRONIC MAIL. Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed as follows: <u>rsallander@gpsllp.com</u> ; <u>jmakin@gpsllp.com</u> ; <u>rsabnis@burnhambrown.com</u> ; <u>pwh@herzogcrebs.com</u> ; <u>mav@herzogcrebs.com</u>

Robert L. Sallander Jr.
 John P. Makin
 Greenan, Peffer, Sallander & Lally LLP
 6111 Bollinger Canyon Road, Suite 500
 San Ramon, CA 94583
 Telephone: (925) 866-1000
 Facsimile: (925) 830-8787
 Email: rsallander@gpsllp.com
jmakin@gpsllp.com

1 Dean Pollack
2 Rohit Sabnis
3 Burnham Brown
4 1901 Harrison Street, 11th Floor
5 P. O. Box 119
6 Oakland, CA 94604
7 Telephone: (510) 444-6800
8 Facsimile: (510) 835-6666
9 Email: rsabnis@burnhambrown.com

6 Herzog Crebs LLP
7 Peter W. Herzog, *Pro Hac Vice*
8 Michael A. Vitale, *Pro Hac Vice*
9 100 North Broadway, 14th Floor
10 St. Louis, MO 63102
11 Telephone: (314) 231-6700
12 Facsimile: (314) 231-4656
13 Email: pwh@herzogcrebs.com
14 mav@herzogcrebs.com

11
12 Executed on November 5, 2010 at San Jose, California. I declare that I am
13 employed in the office of a member of the Bar of this Court at whose direction the service
14 was made.

15 
16 Maria Ramos
17
18
19
20
21
22
23
24
25
26
27
28